

ARTICLE III. ESTABLISHMENT OF DISTRICT REGULATIONS

District regulations limiting the use of buildings and/or land and regulating the size and arrangement of the building on its lot are set forth in this section.

Section I. R-1 Residential District

1.1 Intent

The R-1 residential district is established as a district in which the principal use of land is for low-density residential and agricultural purposes. The regulations of this district are intended to protect the agricultural sections of the community from an influx of uses likely to render it undesirable for farms and future development, and to insure that residential developments dependent upon septic tank systems for sewage disposal will occur at sufficiently low densities to insure a healthful environment.

1.2 Permitted Uses

A. Agriculture

B. Silviculture

C. Stick built houses (Single-family dwellings only)

D. Modular Homes built to North Carolina Code (Single-family dwellings only)

E. Parks, playgrounds, community centers, schools, churches, cemeteries, country clubs, golf courses.

F. Greenhouse and Nursery Operations (but no commercial sales on premises).

G. Public utility substations or pumping stations.

H. Residential planned developments (subject to the conditions contained in Article VII).

I. Home Occupations- limited to residences of premises. Use shall not occupy more than 25% of total floor area of home and no products or displays shall be visible from the street.

1.3 Dimensional Requirements

- A. Minimum required lot area: 20,000 sq ft.
- B. Minimum required lot width: 80 feet
- C. Minimum required front yard: 30 feet measured from the street right-of-way line
- D. Minimum required side yards: 10 feet measured from the property line
- E. Minimum required rear yard: 20 feet measured from the rear property line.

1.4 Location of Accessory Building

Accessory buildings may occupy ten percent (10%) of the gross lot area, must be built a minimum of ten (10) feet from any lot line, and, except for attached garages, must be built to the rear of the principal building.

1.5 Corner Lots

On corner lots, the side yard on that side of the lot abutting the side street shall be twenty (20) feet.

1.6 Signs

Community uses permitted in this district may erect only one nonflashing sign, which harmonizes with the character of the neighborhood and does not exceed twelve (12) square feet in area. All other permitted uses may erect only one nonilluminated sign which does not exceed six (6) square feet in area, unless otherwise approved by the Montgomery County Planning Board.

1.7 Parking

Off-street parking shall be provided as required in Article I, Section 8 of this Ordinance.

Section 2. R-2 Residential District

2.1 Intent

The R-2 Residential District is established to promote low and medium density residential neighborhoods.

2.2 Permitted Uses

- A. All uses permitted in the R-1 residential district.
- B. Double wide mobile homes
- C. Multi-family dwellings.

2.3 Dimensional Requirements

- A. Minimum required lot area 20,000 sq feet
- B. Minimum required lot width: 80 feet
- C. Minimum required front yard: 30 feet measured from the street right-of-way line
- D. Minimum required side yards: 10 feet measured from the property line
- E. Minimum required rear yard: 20 feet measured from the rear property line
- F. Area in addition for second Structure: 3,000 sq feet

2.4 Location of Accessory Building

Accessory buildings may occupy ten percent (10%) of the gross lot area, must be built a minimum of ten (10) feet from any lot line, and except for attached garages, must be built to the rear of the principal building.

2.5 Corner Lots

On corner lots, the side yard on that side of the lot abutting the side street shall be twenty (20) feet.

2.6 Signs

Community uses permitted in this district may erect only one nonflashing sign, which harmonizes with the character of the neighborhood and does not

exceed twelve (12) square feet in area. All other permitted uses may erect only one nonilluminated sign which does not exceed six (6) square feet in area, unless otherwise approved by the Montgomery County Planning Board.

2.7 Parking

Off-street parking shall be provided as required in Article I, Section 8 of this Ordinance.

Section 3. R-3 Residential District

3.1 Intent

The R-3 District is established to promote areas for affordable housing as well as other housing from R-1 and R-2.

3.2 Permitted Uses

- A. All uses permitted in R-1 and R-2.
- B. Singlewide mobile homes

3.4 Dimensional Requirements

- A. Minimum required lot area 20,000 sq feet
- B. Minimum required lot width: 80 feet
- C. Minimum required front yard: 30 feet measured from the street right-of-way line
- D. Minimum required side yards: 10 feet measured from the property line
- E. Minimum required rear yard: 20 feet measured from the rear property line
- G. Area in addition for second Structure: 3,000 sq feet

3.5 Location of Accessory Building

Accessory buildings may occupy ten percent (10%) of the gross lot area, must be built a minimum of ten (10) feet from any lot line, and except for attached garages, must be built to the rear of the principal building.

3.6 Corner Lots

On corner lots, the side yard on that side of the lot abutting the side street shall be twenty (20) feet.

3.7 Signs

Community uses permitted in this district may erect only one nonflashing sign, which harmonizes with the character of the neighborhood and does not exceed twelve (12) square feet in area. All other permitted uses may erect only one nonilluminated sign which does not exceed six (6) square feet in area, unless otherwise approved by the Montgomery County Planning Board.

3.8 Parking

Off-street parking shall be provided as required in Article I, Section 8 of this Ordinance.

Section 4. C Commercial District

4.1 Intent

The Commercial District is established as a district in which the principal use of land is for the provision of retail goods and services. Residential homes can be placed in this district with a signed, notarized, and recorded statement in the Register of Deeds stating that all commercial uses may be placed next to the residence.

4.2 Permitted Uses

- A. Banks and other financial institutions.
- B. Barber and beauty shops
- C. Grocery stores, drug stores, and dry good stores.
- D. Hardware stores.
- E. Laundries, Laundromats and dry-cleaning pick-up stations.
- F. Restaurant
- G. All uses which are permitted in the R-1, R-2 and R-3

4.3 Conditional Uses

- A. Live bait stores
- B. Marinas and minor boat facilities.
- A. ~~Service stations (All major automobile repair or storage shall be performed inside the structure).~~
- D. Highway fruit stands and gift shops.
- E. Building material sales.
- F. Heavy farm equipment sales and services.
- G. Mobile home and trailer sales.
- H. Motels.
- I. New and used car sales.
- J. Nursery and garden stores.
- K. Veterinarians and kennels.
- L. Amusement places, including open-air drive-in theaters.
- M. Automobile parts and accessories.
- N. Automobile repair.
- P. Boat and marine sales.
- Q. Farmer's Market
- R. Day care facilities
- S. Funeral Homes
- T. Storage Services and Warehousing (mini- Warehouses)
- U. Towers of communication, broadcasting, receiving, radar and any other purpose (set backs must be one foot for every one foot of tower from all property lines).

4.4 Dimensional Requirements

- A. Minimum required lot area: 10,000 sq feet
- B. Minimum required lot width: 100 feet
- C. Minimum required front yard: 40 feet measured from the street right of way line. The first 15 feet from the property line shall be developed for the purpose of sidewalks, grass and plants, and shall not be used for any purpose except for the necessary drives and walks not including off-street parking.
- D. Minimum required side yards: No side yard is required except where a lot abuts a residentially zoned lot or where the lot is a corner lot. Lots abutting a residentially zoned lot shall have at least a 15 foot side yard measured from the side property line. On corner lots, the side yards fronting on the side street shall have at least a 15 foot width.
- E. Minimum required rear yard: No rear yard is required except where a lot abuts residentially zoned lot. In such instance, the abutting rear yard shall be at least 15 feet measured from the rear property line.

4.5 Signs

No use in this district shall have more than three signs, including those on the face of the building. In no case shall any of these signs be larger than fifty square feet, unless otherwise approved by the Montgomery County Planning Board.

4.6 Parking

Off-street parking shall be provided as required in Article I, Section 8 of this Ordinance.

4.7 Buffers

Landscaped buffer strips shall be required where any use in this district abuts land zoned residential (R-1, R-2, R-3). The buffer strips shall be a minimum of continuous evergreen composition not less than six (6) feet in height or less than fifteen (15) feet in width or a buffer plan must be submitted to the Planning Board for review. The buffer plan must be a to scale sketch showing the property, the adjacent properties, highways or roads and the buffer to be used (This includes height, location and material to be used). The buffer must be installed before a Certificate of Occupancy can be issued. The buffer plan will remain in the zoning file. The buffering requirement may be waived by the County Commissioners upon recommendation of the Planning Board along any boundary, which is naturally screened by evergreen plant materials or topography, or may be deferred in isolated areas.

4.8 Appearance

No commercial business shall maintain an aesthetic nuisance such as trash dumpsters in the front of the property, loading docks in the front of the property, abandoned equipment, used or new material that is being stored in public view or any other nuisance that may be determined by the County Commissioners. The Commissioners may also waive the appearance requirement upon review of a valid request.

Section 5. I - Industrial District

5.1 Intent

This is an area primarily for industrial assembly, fabrication, and storage located on planned sites with access to highways and containing adequate utility facilities. Residential homes can be placed in this district with a signed, notarized, and recorded statement in the Register of Deeds stating that all industrial uses may be placed next to the residence.

5.2 Permitted Uses

A. Apparel and other finished products - manufacturing.

- B. Communications, broadcasting, and receiving towers; radio, television, and radar; with setbacks from all property lines of at least one (1) foot for every foot of structure height.
- C. Printing, publishing, and allied industries.
- D. Professional, scientific, and controlling instruments; photographic and optical goods; watches and clocks-manufacturing.
- E. Public utility substations, pumping stations, water storage facilities, and water treatment plants.
- F. Textile mill products - manufacturing.
- H. Transportation terminals and facilities.
- I. Warehousing and storage services.
- J. Wholesale trade, except for petroleum bulk stations.
- K. Fabricated metal products - manufacturing.
- L. Lumber and wood products - manufacturing.
- M. Milling and animal feed preparation.
- N. Mobile home and modular home manufacturing.
- O. Rubber and miscellaneous plastic products - manufacturing.
- P. All uses which are permitted in the R-1, R-2, R-3 and Commercial districts.

5.3 Conditional Uses

- A. Abattoirs, slaughter houses, and meat processing plants.
- B. Commercial or industrial incinerators.
- C. Junk yards and auto salvage yards.
- D. Landfills.
- E. Sewage treatment plants.
- F. Scrap and waste materials processing.
- G. Any establishments emitting offensive smoke, dust, noise or odor shall only be approved on finding that the public health is not impaired, and surrounding land use will not be adversely affected.

- H. Paper and allied products - manufacturing
- I. Chemical and allied products - manufacturing
- J. Food and kindred products - manufacturing

5.4 Dimensional Requirements

- A. Minimum required lot area: 1 acre
- B. Minimum required lot width: 100 feet
- C. Minimum required front yards: 40 feet measured from the street right-of way line. This yard shall not be used for any purpose other than the necessary drives and walks and shall not be used for off-street parking.
- D. Minimum required side yards: 15 feet except where a lot abuts a residentially zoned lot. Lots abutting residentially zoned lots shall have at least a 50-foot side yard measured from the side property line.
- E. Minimum required rear yard: 25 feet except where a lot abuts a residentially zoned lot. Lots abutting residentially zoned lots shall have at least a 50-foot rear yard measured from the rear property line.

5.5 Signs

No use in this district shall have more than three signs, including those on the face of the building. In no case shall any of these signs be larger than fifty square feet, unless otherwise approved by the Montgomery County Planning Board.

5.6 Parking

Off-street parking shall be provided as required in Article I, Section 8 of this Ordinance.

5.7**Buffers**

Landscaped buffer strips shall be required where any use in this district abuts land zoned residential (R-1, R-2 and R-3). The buffer strips shall be a minimum of continuous evergreen composition not less than six (6) feet in height or less than fifteen (15) feet in width or an alternate buffer plan must be submitted to the Planning Board for review. The buffer plan must be a to scale sketch showing the property, the adjacent properties, highways or roads and the buffer to be used (This includes height, location and material to be used). The buffer must be installed before a Certificate of Occupancy can be issued. The buffer plan will remain in the zoning file. The buffering requirement may be waived by the County Commissioners upon recommendation of the Planning Board along any boundary, which is naturally screened by evergreen plant materials or topography, or may be deferred in isolated areas.

5.8 Appearance

No industrial business shall maintain an aesthetic nuisance such as trash dumpsters in the front of the property, loading docks in the front of the property, abandoned equipment, used or new material that is being stored in public view or any other nuisance that may be determined by the County Commissioners. The Commissioners may also waive the appearance requirement upon review of a valid request.